

# Exhibit 2

Report of Review of Other Documents, Inspections (9/26/2012) and Research

Related to Civil Action No. 3:12-cv-02037; Stephen McCollum, Stephanie Kingrey, and Sandra McCollum, individually and as heirs at law to the Estate of Larry Gene McCollum, Plaintiffs

V.

Brad Livingston, Jeff Pringle, and the Texas Department of Criminal Justice, Defendants

prepared by

James J. Balsamo, JR., Environmental Health and Safety Consultant\Expert

MS, MPH, MHA, R.S., CSP, CHMM, CHSP, CP-FS, COHC, DLAAS

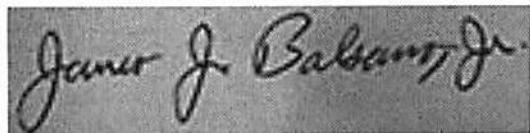
for

Scott Medlock, Director Prisoner's Rights Program, Texas Civil  
Rights Project

1405 Montopolis Dr.

Austin, Texas 78741

Report Date: 12/20/2013

A rectangular box containing a handwritten signature in black ink. The signature reads "James J. Balsamo, Jr." in a cursive, flowing script.

James J. Balsamo, Jr., MS, MPH, MHA, R.S., CSP, CHMM, DLAAS Date

## Introduction

I have been retained as a private consultant\expert by the Texas Civil Rights Project, Prisoner's Right Program in Austin, Texas to review documents, inspect the site, and make observations of my findings relative to the conditions of confinement in the area of environmental health and safety conditions at the Hutchins Texas State Jail in Dallas, Texas during the time of incarceration of Larry Gene McCollum, at that facility (prison) especially during the dates of July 18, 2011 through July 28, 2011. He passed away in the hospital on July 28, 2011 after having what was termed as a "seizure" (later determined to be a heat stroke) in Hutchins on July 22, 2011. He was incarcerated in Hutchins in various buildings such as Unit-C4-1 and Unit C6- 34 bunk. He was then transferred to Unit C7-46 bunk where it was reported that he remained there for the rest of his stay. From my review, I was asked to opine as to my findings as it related to the subjects of concern noted above.

My on-site review at the Hutchins facility was carried out on September 26, 2012 and my review of documentation continues through this report date. The historical heat temperature and humidity data that I reviewed covered the period of time from July 7 through July 31, 2011 which includes the dates Mr. McCollum was at the Hutchins facility.

I reviewed interrogatory associated responses, administrative directives, policies and procedures, grievances and other documents that were produced in response to the request for production of documents by The Texas Department of Criminal Justice, TDCJ, as well as environmental data that I obtained from instruments I used on my visit to the Hutchins Facility on September 26, 2012 and other historical environmental (climate) data obtained from reporting stations of the U.S. Government in a station in Dallas, Texas for the period July 7, 2011 to July 31, 2011. Also temperature and humidity logs ostensibly recorded in the Hutchins Facility, TDCJ, covering the period of May 1, 2011 through July 31, 2011 as provided to me by the Texas Civil Rights Project, Prisoner Rights Program attorneys were used in my review of the temperature conditions at this facility. I used references such as Table 3 of the ANSI/ASHRAE 55-1992 Standard, Thermal Environmental Conditions for Human Occupancy, NOAA'S National Weather Service Heat Index, U.S. Government collected climatological data obtained through the Weather Warehouse, Weather Source, LLC, of Amesbury, Massachusetts, American Correctional Association, Adult Correctional Institutions Standards, Fourth Edition and an American Housing Survey for the United States – 2009, USDHUD, HI 50/09, 3/20/2011.

My findings are herein limited to the following issues: Heat Related Standards, Heat Index Chart, Description of Housing and Ventilation at Hutchins, Temperature, Humidity and Heat Index, Heat Related Illnesses and Precautionary Measures.

**Standards for Adult Correctional Institutions, 4<sup>th</sup> Edition and Other Pertinent Standards and Reports**

1. American Correctional Association (ACA) Standard 4-4153, "Heating and Cooling" states that temperatures in indoor living and work areas are (to be) appropriate to the summer and winter comfort zones. Comments from the standard indicate that temperature and humidity should be capable of being mechanically raised or lowered to an acceptable comfort level.
2. The ACA Standard 4-4152 states that air circulation should be at least 10 cubic feet of fresh or recirculated filtered air per minute per occupant for inmate rooms/cells in existing facilities.
3. The ANSI/ASHRAE Standard 55-1992, Thermal Environmental Conditions for Human Occupancy, Table 3 sets as its Operative Temperature Range for the summer with minimal type clothing even less than light slacks and short sleeve shirt, (i.e., briefs and t-shirt), 79-84 degrees Fahrenheit. Other than clothing there are no adjustments for season or sex to temperatures in Table 3 referenced above.
4. HEAT INDEX: The NOAA Weather Heat Index (HI) is the temperature the body feels when heat and humidity are combined. Human bodies dissipate heat by varying the rate and depth of blood circulation, by losing water through the skin and the sweat glands, and lastly by panting, when blood is heated above 98.6 degrees Fahrenheit. Sweating cools the body through evaporation as stated earlier, however high relative humidity retards evaporation, and the body can't (or not efficiently) get rid of its heat. When heat gain by the body exceeds the level the body can remove, body temperature begins to rise and heat related illnesses and disorders can begin to occur. The Heat Index is based on temperature in the shade. Exposure to direct sunlight can increase the HI by up to 15 degrees Fahrenheit. The Heat Index (HI) provides, in an organized manner, what types of heat problems may occur and the relative chances of incurring such a problem. This is based on the increasing HI which was obtained from the National Weather Service Weather Forecast Office in Pueblo, Colorado.

<http://www.crh.noaa.gov/pub/heat.php>

[www.wikipedia.org/wiki/heat\\_index](http://www.wikipedia.org/wiki/heat_index)

**HEAT INDEX CHART**

HI 80-90 degrees F. CAUTION: Fatigue possible with prolonged exposure and physical activity.

HI 90-105 degrees F. EXTREME CAUTION: Heat cramps and heat exhaustion possible.

HI 105-130 degrees F. DANGER: Heat cramps, and heat exhaustion likely, and heat stroke possible.

HI 130 or higher. EXTREME DANGER: Heat stroke is likely with continued exposure.

[www.nws.noaa.gov/om/heat/index.shtml](http://www.nws.noaa.gov/om/heat/index.shtml)

5. American Housing Survey for the United States 2009, U.S. Department of Housing and Urban Development; U.S. Government Printing Office. Washington, DC, 2040; HI 50/09; pages 18 and 29. Printed March 20, 2011.

**Description of the C-7 Housing Unit at the Hutchins State Jail**

During my site visit to the Hutchins State Jail in Dallas, Texas on September 26, 2012 I visited the C-7 Housing Unit. This Unit is part of a one story building (Photo #001669). The housing area is a large open unit where approximately 58 inmates are housed. This is an open dormitory type housing unit with bunks on the perimeter (Photo # 001657, 001665, & 001666), day room tables and benches in the center (Photo # 001664, 001656, 001654 & 001655) and toilets, lavatories, and showers in a partially enclosed area just off the center day room area. (Photo # 001663& 001661). The windows on the perimeter of this unit are at approximately 10 feet high and are sealed shut (Photo # 001659 & 001658). In the day room area just outside the toilet and shower, there is a circulating fan near the ceiling level. (Photo # 001660) There is an exhaust fan (Photo # 001662) at the ceiling which is used to help remove air from this housing unit so it can circulate the fresh air being introduced into the unit via air supply registers (Photo # 001652 & 001667) from the outside located air handler units. (Photo # 001670)

**Ventilation and Ambient Environmental Condition Information Noted from my Review of TDCJ Hutchins Documents Provided by Legal Counsel and from my On-Site Visit, 9/26/2012**

While making an inspection of the Hutchins State Jail on September 26, 2012, Hutchins Facility personnel showed me the air handling unit which serves to bring fresh air into housing Unit C-7. (Photo # 001650) This is a one story, large open dorm type housing unit with bunk beds around its perimeter. It contains showers, toilets, and lavatories. The large center areas of this facility are used for eating, reading and other day room activities. There are large fixed closed windows at approximately three quarters of the way up the walls. It was explained to me that this mechanical piece of equipment located just outside of the C-7 housing unit is not an air conditioning unit but rather is simply a mechanical fan system that cannot cool the air before the air is introduced into the housing unit. This unit does not cool the air nor control the humidity of the air entering the housing unit. I did not observe any water fountains (usually means a cold water piped electrically operated unit from which people drink water) in the dorm (C-7) but only a portable Igloo type gravity operated water dispensing container, and sinks in the restroom area.(Photo # 001653 & 001651) During hot days the air handlers bring in air from the outside into the housing unit. If the air outside is 103 degrees then 103 degree air will be introduced into the housing unit. I verified that this is true in that the average air temperature at the air supply registers (Photo # 001652 & 001667) on September 26, 2012 inside of the C-7 housing unit was recorded by me using the calibrated VelociCalc Plus, Model # 8386 electronic instrument at 93

degrees Fahrenheit and that the relative humidity, using the same instrument on the same day produced an average Relative Humidity reading of 39%. I also took outside temperature and humidity readings in the shade at the entrance door to Unit C-7 and the average temperature was recorded at 92 degrees Fahrenheit and the relative humidity was recorded at 44%. Likewise, I took temperature and relative humidity readings in the sun at the intake of the air handling unit and they were recorded as 94 degrees Fahrenheit and 44 % relative humidity. Given the inherent instrument accuracy for temperature measurements of +\-. 0.5 degrees Fahrenheit and +\-. 3% Relative Humidity, this data actually shows that the outside air is merely transported into the housing unit without being conditioned.

When the human body temperature rises, air movement helps the body to get rid of body heat via evaporation of sweat as long as the humidity is low enough to allow the heat to be lost to the air. As the humidity increases, the less heat the body is able to give up to the air.

The ACA Standard 4-4152 clearly states that at least 10 cfm of fresh or recirculated filtered air should be provided per occupant. The two supply registers at the front of the C-7 Housing Unit provided at least that amount of air. In an article on heat related injuries on the web-site of North Western Oklahoma State University, it states that at some point when the air relative humidity (moisture in air) is so high, the human body cooling mechanism via sweating doesn't effectively work and cool the body by giving up heat to the air via evaporation. Also at some point when the air temperature is above the body temperature, increased air movement alone cannot effectively continue to reduce the temperature of the human body and in fact increased air flow transfers more heat to the human body. Thus, using fans may be counterproductive at temperatures above 98.6. This is likely the case when using only a mechanical air mover, like the one used at the Hutchins Facility. It is not capable of controlling temperature and humidity. As previously noted, the ACA Standard 4-4153 clearly indicates in the comments section of the standard that temperature and humidity should be capable of being mechanically raised or lowered to an "acceptable comfort level."

Also, in a warm environment, where there is not enough difference between the body's temperature and its surroundings then besides evaporative cooling, the other three cooling mechanisms, convection, conduction and radiation, may not be able to effectively help cool the body. The calculated high "Heat Index" levels reached "EXTREME CAUTION," "DANGER," and "EXTREME DANGER" levels at the Hutchins Facility while Mr. McCollum was being held there (7/18/2011 – 7/22/2011) and this indicates that "acceptable comfort levels" were certainly not present at the Hutchins Facility during those dates.

Maintaining acceptable comfort level temperatures seems to be a problem at this facility. In an American Correctional Association (ACA) report about this facility, entitled "Commission on Accreditation for Corrections Standards Compliance Reaccreditation Audit" dated January 11-13, 2010, I read comments on page TDCJ – RFP #25-35, third paragraph that the auditors noticed that the environmental conditions in the dormitories were very cold for Dallas and that the heating of dormitory space was noticeably inconsistent. This, to me, indicates that they did not do or because of the type of equipment they have could not do what was/is necessary to control the inside environmental temperatures. It also is possible that it could be a combination of both of these factors.

I also briefly read through TDCJ grievances (# 2011095794; #2012043698; #2011188318; #20112030806; #201113339; #2012063479; #2011081847; #2010186196; #2012174048), and many indicated discomfort with the temperature comfort level and even discussed levels that were affecting their health. Clearly these grievances indicate that the inmates who filed them felt an acceptable comfort level was not being met in their housing units. In many instances it took, what appeared to be as much as 40 days from the date of the grievances being filed to the date when repairs were noted as complete.

Also, I reviewed some Work Orders and noted that very long periods of time were involved in completing the repairs or taking actions necessary to address the issues. Some very seemingly simple corrective actions, took very long times to get done. Some examples of these long periods of time are as follows:

#209912002374 =~ 4 days to reset trip switch on heating unit (a task that probably takes less than a minute or two) in January 2012;

#209912003540= ~6 days to reset alarm on heating unit in March, 2012;

#209912004647= ~90 days to get new pilot bearings on supply fan for it to be operating properly from May through August of 2012;

#209912000838 =~ 51 days to rebuild a shower valve from October to November, 2011;

#209911002364=~ 40 days to get shower operating;

#209911003335=~ 7 days to repair a "busted" shower line, March through April, 2011;

#209911003755=~45 days to get an inoperative shower repaired from March through the end of May, 2011.

Likewise, I read a Hutchins memorandum dated August 17, 2011, (Bates number 001414), from Mr. Roy Storie of Administrative Review & Risk Management, to Jeff Pringle, Warden at Hutchins Jail, regarding offender housing temperatures. It clearly indicated that air supply units in offender housing units K-1, K-2, and K-3 were not working on 8/12/11 when the outside temperature at 10 AM was 92 degrees Fahrenheit and the inside temperatures of these units was up to as high as 88 degrees Fahrenheit. It should be noted that the repairs were not corrected until 8/18/2011, at least 6 days later.

During the time that these 3 fans were not working, I used the TDCJ Hutchins Facility (self-generated) Temperature Logs, (Bates number 001517), for 8/12/2011 to find that the high outdoor air temperature was 108 degrees F. at 4:30 PM with a concurrent relative humidity (%RH) level of 44%. Using this data, the calculated Heat Index (HI) level, which is explained later in this report, reached 135 degrees F. which is in the Extreme Danger Level. On 8/13/2011 with a high temperature of 90 degrees F. and a concurrent %RH of 74%, the Heat Index (HI) = 109 degrees F. On 8/14/2011 with a high temperature of 106 degrees F. and a concurrent %RH of 43%, the HI =128 degrees F. These Heat Index (HI) levels 128 and 135 degrees F. put these inmates in the "EXTREME DANGER" category which means heat stroke

would be likely with continued exposure. The HI of 109 degrees F. put the inmates in the "DANGER" category where heat exhaustion is probable. The memorandum from Mr. Storie to Warden Pringle, (Bates Number 001414), on August 17, 2011 indicated the indoor air temperatures on 8/12/2011 at 10 AM reached 88 degrees F. in Unit K-3. The TDCJ Temperature Logs for that day, (Bates Number 001517), indicated a %RH of 74 %. Using this data, I calculated an indoor HI of 103 degrees F. which is in the "EXTREME CAUTION" range where heat exhaustion is possible. Please note that a HI of 103 degrees F. is only one degree from 104 degrees F. which is in the "DANGER" range where heat exhaustion is probable. Also these temperatures and the noted effect on people's health is for normally healthy individuals and people with underlying medical conditions or those taking certain types of medication will be affected more than healthy people. I realize this is not the exact period of time when Mr. McCollum was at the Hutchins Jail, but it is close to that time and does demonstrate to me, the extreme conditions offenders at the Hutchins Jail had to endure. It also indicates to me that this facility's administration apparently still failed to comprehend the seriousness of such situations, having the fans down for up to 6 days during high heat events, even just after Mr. McCollum's death. One would expect them to have expedited the repairs of critical pieces of equipment such as these air supply units.

The inability to maintain comfort levels and healthful levels in the dormitories indicates that the offenders housed in these units were and continue to be (if past practices have not been rectified) in jeopardy of sustaining heat related illnesses, which is what appears to have occurred in Mr. McCollum's case. The Coroner's report listed as the cause of Mr. McCollum's death "Hyperthermia" due to lack of air conditioning. This seems to support my findings of very high Heat Index levels during the time Mr. McCollum was at this facility. This will also be discussed later in this report.

#### Heat Index

As previously stated, I used Hutchins State Jail employee memoranda, (Bates Number 001414), which documented temperature and humidity readings taken by Hutchins facility personnel in 2011. Also I used TDCJ's self-generated Temperature Logs (Random samplings of such data were from both inside and outside of various Hutchins housing units which are all located in relative proximity of each other.

The Hutchins State Jail "Temperature Logs" contain daily temperature and relative humidity readings from outside locations at the Hutchins State Jail over 12 hour periods, 6:30 AM to 6:30 PM each day. This data from July 7 through July 31, 2011, (Bates Numbers 001481 through 001504), included temperature and relative humidity readings during a period of time when Mr. McCollum was at the Hutchins State Jail, July 18 through July 22, 2011. (Bates Numbers 001491 through 001495).

I also used historical temperature and relative humidity data I retrieved through the Weather Warehouse Data Company from the Dallas Redbird Airport, Dallas Texas reporting station which is approximately 6.3 miles from The Hutchins State Jail to demonstrate the harsh high heat and humidity environmental conditions the offenders at this facility must endure.

"Weather Warehouse weather data comes from multiple agencies of the US Government's National Oceanic and Atmospheric Administration (NOAA), including the National Climatic Data

Center (NCDC) and the National Weather Service (NWS). Data from these agencies is quality controlled at both at the NCDC end and at the Weather Source end. The quality control process involves numerous error checks and ensures you of the reliability in the data. While a 100% perfection guarantee could never be made by Weather Source or the US Government due to the complexity of the overall system, every effort is made by both Weather Source and the US Government to provide the most error-free product possible, and the quality of the data is generally accepted as very reliable and trustworthy and the most reliable data available." The Weather Warehouse data was obtained from "the Weather Source, LLC of Amesbury, Massachusetts; <http://www.weathersource.com> and <http://www.weather-warehouse.com>

Using this type of data is routine in my field, and considered highly reliable.

I also took my own temperature and humidity readings in and outside the Hutchins housing units on September 26, 2012 when I visited the site a year after Mr. McCollum's death.

The temperature and relative humidity data from the above noted sources were used to calculate the Heat Index (HI) for the days Mr. McCollum was at the Hutchins State Jail.

#### **Temperature and Humidity Data Discussion Using Weather Warehouse Data**

I had access to two sets of data. One set was the temperature and relative humidity readings allegedly taken at the Hutchins State Jail (Temperature Logs) and the temperature and relative humidity readings obtained from the Weather Warehouse-Weather Source which is very reliable historical climatological data as explained previously in this report. Having data available from the Hutchins State Jail as per their documents is helpful to calculate the Heat Index at the facility itself. To check the Hutchins data, I also used historical climatological data collected by a government reporting station at the Dallas Redbird Airport in Dallas, Texas which is approximately 6.3 miles from the Hutchins facility. The discussion below will be centered on the data obtained from the Dallas Redbird Airport reporting Center. The data provided by the Hutchins Jail will be discussed later in this report.

**Dallas Redbird Airport location readings for the 25 days in July 2011 (July 7, through July 31, 2011) revealed the following:**

-During these 25 days, which included the days Mr. Larry McCollum was at this facility, the highest ambient temperatures were above 100 degrees Fahrenheit (100 to 105 degrees F.) for 21 of the 25 days. The highest temperature of the remaining 4 days in this 25 day period registered 99 degrees F.

-The daily high temperature of 100 degrees Fahrenheit and above fell in the 2PM to 6PM time period. There were two, 8 consecutive day periods, in which the highest ambient temperature during these periods of time reached 100 degrees F every day.

-The daily average temperature during these 25 days registered above 90 degrees F. for 22 of the 25 days.

The NOAA Heat Index Calculations, which include the ambient temperatures and associated relative humidity readings, resulted in Heat Index calculations of the range of temperatures from 103 to 109 degrees F. for 25 consecutive days. Low relative humidity recordings at this site kept the HI from reaching the Extremely Dangerous Levels; however it did reach the EXTREME CAUTION and DANGER levels which could result in the heat related illness shown below.

**HI 90-105 degrees F. EXTREME CAUTION - heat cramps and heat exhaustion possible.**

**HI 105-130 degrees F. DANGER: heat cramps and heat exhaustion likely, and heat stroke possible.**

During the days Mr. McCollum was at the Hutchins State Jail, July 18 through July 22 which was the date of his seizure and removal from that facility to the Parkland Hospital, the following conditions were recorded from the Dallas Redbird Airport reporting Center, only 6.3 miles from the Hutchins State Jail. (See below)

**TABLE NUMBER 1**

(2011)	(1)	(2)	(3)	(4)	(5)	(6)	(7)
Date	Temp. Range F.	Max Temp F.	% RH Range	24 hr. Avg F.	Hrs.>/=100 F	Hr.>/= 90F.	HI F.
7/18	80 -102	102	29- 69(32)	91.33	5 hour	13 hours	107 D
7/19	79 – 100.9	101	36 -79(33)	93.84	3 hours	12 hours	106 D
7/20	79 - 99	99	34-74(34)	89.09	0 hours	12 hours	103 EC
7/21	82 -100.9	101	26-67(26)	91.28	4 hours	13 hours	102 EC
7/22	81 -100	100	32-72(32)	90.9	1 hour	13 hours	104 D

The Heat Index ranged from EC=EXTREME CAUTION to D= DANGER

**Temperature and Humidity Discussion using the Data from the Hutchins State Jail Temperature Logs:**

Having data available from the Hutchins State Jail as per their own documents (Bates Number 001491, 001492, 001493, 001494 and 001495) is helpful to calculate the Heat Index at the facility itself. This data covers only 12 hours (6:30 AM – 6:30 PM) periods each day and this means that some data points obtained from the Weather Warehouse are not part of the available data the Hutchins State Jail provided.

The Heat Index (HI) used in the Table Number 2 below is calculated from the highest temperature and the associated relative humidity as noted on the TDCJ Temperature Logs at the same hour. For example on 7/18/2011, the highest Heat Index temperature calculated on the TDCJ Temperature Log was 120 degrees Fahrenheit at 4:30 PM while the air temperature was recorded at 106 degrees Fahrenheit and the relative humidity at that time was 46 %. By using these raw temperature and humidity data and The NOAA NWS Heat Index Chart, the HI was found to be 130 degrees F. \*\*(see column 8). The HI recorded on the Hutchins State Jail Temperature Logs by Hutchins State Jail personnel for that time and date was 120\* degrees Fahrenheit. (See column 7-first line of the TABLE NUMBER 2 below that is underlined.) This Heat Index number is not accurate. By using the raw temperature and humidity data, a correct HI can be calculated and is shown below as 130 degrees Fahrenheit (Column 8) which is in the **EXTREMELY DANGER** category. If this facility is to rely on this data to help set heat policy actions for inmates, then those persons responsible for taking the temperatures and humidity readings and calculating the Heat Index (HI) must know how to read these data and properly derive the HI temperature which is not the case with this bit of data on 7/18/2011. See table 2 below:

TABLE NUMBER 2

COLUMN (1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	
(2011) <u>Date</u>	<u>Temp. Range F.</u>	<u>Max Temp F.</u>	<u>Percent RH Range</u>	<u>13 hr. Avg F.</u>	<u>Hrs.&gt;/=100 F</u>	<u>Hr.&gt;/= 90 F.</u>	<u>Hut.</u>	<u>NOAA-NWS HI F. **</u>
7/18	78 -106	106	42-68(46)	97.0	7 hour	10 hours	<u>120</u>	130 ED
7/19	75 – 114	114	37-73 (59)	102	8 hours	10 hours	150+	137+++ED***
7/20	76 – 105	105	42-71 (46)	95	4 hours	10 hours	113	128 ED
7/21	80 -107	107	40-75 (46)	96	6 hours	9 hours	118	135 ED
7/22	81 -104	104	35-69 (45)	94	6 hour	8 hours	113	124 D

D = DANGER ED = EXTREME DANGER

HI F\* &amp; HI\*\* = Heat Index in degrees Fahrenheit

As previously indicated in the paragraph before Table 2, The Hutchins State Jail personnel calculated the Hutchins Heat Index, (HUT. HI F.\* Column 7) and the values calculated are inaccurate and this can be seen in checking other TDCJ Temperature Log pages (Bates Number 001481- JULY 7, 2011 for 2:30 PM) where they calculated the HI to be 104 degrees F. however the actual calculated value using the Heat Index Calculator is 113.3 degrees F. Another example of incorrect calculations can be seen on Bates Number 001487- July 14, 2011 for 12:30 PM where the air temperature is shown to be 99 degrees F. and the relative humidity is recorded as 72%. The HI calculated by the Hutchins personnel is shown as 105 degrees Fahrenheit on the TDCJ Temperature Log, however the actual HI as noted using the NOAA-NWS Heat Index Chart is 137+++ degrees Fahrenheit which is the upper limit of the Chart. This falls into the "EXTREME DANGER" category where Heat Stroke is imminent. This matters greatly because it could

cause the wrong heat illness category warnings (DANGER instead of EXTREME DANGER) to be assigned and the correct precautionary actions would not have been taken to the detriment of the inmates in that unit. If the Warden relies on this data to take actions on very hot days, the people taking these measurements and calculating the Heat Index, HI, need some more intensive and stringent training.

Note: \*\*\*In column 8 for the date of 7/19,(Bates Number 001492) the calculated HI F, using the NOAA-NWS high temperature for that day and time (114 degrees Fahrenheit and the corresponding relative humidity 59%), is a very high value(137+++degrees F that is actually off the NOAA-NWS Heat Index Chart, but is clearly in the EXTREME DANGER ZONE.

Comparison of Heat Index Calculations with data from Historical Data Source (Redbird Airport) and the temperature and relative humidity from the Hutchins Jail Temperature Logs

Using Hutchins' raw temperature and % relative humidity data from the Hutchins Jail Temperature Logs, Hutchins personnel recorded the Heat Index (HI). (See Column 1 in Table 3 below). Using Hutchins Jail Temperature Log data, temperature and humidity, from the dates noted below in Table 3, I calculated the Heat Index (HI) using the NOAA-NWS Heat Calculator (See Column 3 in Table 3 below) and found them to be higher than the Heat Index noted on the Temperature Logs (See Column 1 below) provided by the Hutchins Jail. I also used the historical climatological data from the Weather Warehouse database (Dallas Redbird Airport Reporting Station) and calculated the HI. That Heat Index (See Column 2 below) except in one instance was higher than the other Heat Index calculations shown in Column 1, however please note all the HI calculations were in the Extreme Caution or Danger Level. Data that I calculated in Column 2 and 3 shows the HI to be mostly in the "EXTREME DANGER" category and is a more serious situation than just the "DANGER" category. Extrapolation of data from charts is difficult and therefore a simple HI Calculator could provide a more accurate HI calculation.

[http://www.srh.noaa.gov/epz/?n=wxcalc\\_heatindex](http://www.srh.noaa.gov/epz/?n=wxcalc_heatindex)

TABLE # 3

	(1)	(2)	(3)
2011 Date	Hutchins Calculated HI using Their Temp Log raw data	Calculated HI using Historical climatological data	My Calculation of HI using Hutchins Temp log raw data
7/18	120 F. D	137+++ F. ED	130 F. ED
7/19	150 F. ED	137+++F. ED	137+++F. ED ***
7/20	113 F. D	133 F ED	128 F ED
7/21	118 F. D	133 F ED	135 F ED
7/22	113 F. D	136 F. ED	124 F. D

**EC=EXTREME CAUTION**

**D=DANGER**

**ED=EXTREME DANGER**

The high calculated Heat Index (HI) at this facility, in my opinion, indicates that the risk to prisoner health was present during the times in which the Plaintiff , Mr. Larry McCollum was housed in the Hutchins State Jail in Dallas, Texas and during the months leading up to and after his death.

**This comparison of Heat Index readings shows that high temperature and high humidity levels elevate the Heat Index (HI) and the higher the HI, the more dangerous the correctional environment becomes for heat related illnesses. This increasing HI puts the offenders at risk for heat exhaustion, heat cramps, and heat stroke for healthy inmates and especially more dangerous for inmates due to their increasing age, morbid obesity, concurrent medical conditions and subsequent medications for diabetes, hypertension (diuretics), and psychological disorders (psychotropic medications).**

#### **Precautionary Measures**

When high heat temperatures and humidity levels are noted, prisoner health can be protected by implementing precautionary measures based on a well thought-out prisoner medical based priority program to receive special treatment. The inmates who would be most medically affected would be given a high priority level for receiving precautionary treatment. These actions could at lower priority levels just include such things as allowing minimum clothing to be worn inside a housing unit, allowing offenders to shower during all daylight hours, and providing ample amounts of water and ice and other cold liquids for all inmates throughout the day and night. These steps may be adequate for healthy prisoners. Those on high priority level, including those suffering from medical conditions like hypertension, diabetes, and obesity, should continue to receive those precautions, but would also benefit from being moved to an area where reflective film or awnings have been placed on the windows in housing units and also providing time in respite areas (cool and possibly air conditioned areas or multi-purpose rooms), even if only on a rotating basis and if only for a few hours a day. There are also cooling devices, such as misters, or portable air conditioning units, that could help cool parts of the prison where prisoners with heat-sensitive medical conditions are housed. Of course, the simplest, most effective way to protect prisoners suffering from heat-sensitive medical conditions would be to assign them to air conditioned housing.

It needs to be emphasized that the Centers for Disease Control, CDC, states "Air-conditioning is the number one protective factor against heat-related illness and death."

[www.bt.cdc.gov/disasters/extremeheat/heat\\_guide.asp](http://www.bt.cdc.gov/disasters/extremeheat/heat_guide.asp)

This is especially needed for those who are at most risk of heat related illnesses due to personal medical conditions such as advancing age, morbid obesity and other medical conditions such as hypertension, diabetes, and psychological disorders requiring medications such as psychotropic medications which affects the body ability to control its internal temperature.

Acclimatization of the inmates could play a role in helping relatively healthy individuals to be gradually, over periods of time, introduced to the high heating levels until they can tolerate it better. Even though acclimatization would help healthy individuals better tolerate high temperatures, they still would have

to take precautions not to overheat on high heat days, such as the period Mr. McCollum was incarcerated at Hutchins in 2011. Mr. McCollum came from a jail where the temperature is maintained by law between 65 degrees and 85 degrees Fahrenheit. See 37 Texas Administrative Code § 259.160.

If such a comprehensive precautionary program is implemented, the instances of adverse medical effects of high temperature and humidity levels in correctional facilities could be reduced.

It has been reported in the newspapers and evening news broadcasts how heat waves (events) have been detrimental to people's health. Most often it is reported that the sick and elderly are the ones suffering and dying during these adverse events.

The American Housing Survey for the United States, 2009, (U.S. Census Bureau, Current Housing Reports, Series HI 50/09, "American Housing Survey for the United States: 2009." U.S. Government Printing Office, Washington, D.C., 20401 Printed in 2011) shows very clearly that air conditioning is considered such an important part of life that of the 130,112 total (occupied and unoccupied) number of all housing units surveyed, 82,475 or 63.4% have central air-conditioning in them. Of the 130, 112 total (occupied and unoccupied) housing units surveyed, 115,518 or 88% had some type of air-conditioning in them. Of some 5, 955 newly constructed housing units built within 4 years of the American Housing Survey for the United States in 2009, some 5,279 housing units or 88.65 % had central air-conditioning units installed in them.

It should also be noted that of the 111, 806 occupied housing units surveyed, 78,437 or 70.15 % have central air-conditioning installed in them. Also of the 111,806 total occupied housing units surveyed, 103, 019 housing units or 92.14 % had some kind of air-conditioning units in them. Even for those few that do not have air conditioning in their homes, "free people" can go to an air conditioned movie, grocery store, library, church, or relative's house for short periods of time to get some relief from dangerous levels of high heating temperatures. Incarcerated people don't have the freedom to do this to prevent heat illnesses from occurring. The administration of the facility must provide these things to the inmates to prevent them from succumbing to heat illnesses.

The American Housing Survey for the United States, 2009 reported that of the 41,586 housing units surveyed in the Region defined as the "South," 39,501 or 94.99 % had central air-conditioning units in them for that very hot and humid climate area of the South (United States). Dallas, Texas is "in the South" according to the HUD survey.

This leads me to conclude that air-conditioning is needed in the "South" such as the area around Dallas, to prevent heat associated illnesses and even death, especially for those with pre-existing and debilitating medical conditions requiring certain medications for which high heat could be detrimental to those types of people's health.

Even with some helpful equipment such as cooling showers, "Corrective Work Order" documents show how the use of precautionary measures such as more frequent showers could be hard to implement as many of these work orders shower repairs for inoperative showers took from 3 days to 6 weeks to affect

the needed repairs. Even on the date of my scheduled site visit, 25% of the showers in the C-7 Housing Unit were inoperative. In my opinion, disregard for a very important element of precautionary measures like showers, seems to indicate this facility doesn't take high heat issues, which can lead to heat related illnesses, very seriously.

I checked the water temperatures from sinks in the C-7 Housing Unit and the water registered 80 degrees Fahrenheit. If this water is expected to be used for drinking purposes during hot weather events, in my opinion, this is not near the temperature of ice water which is the recommended precautionary step to be provided during these high heat events.

### Conclusion

Because of the high "Heat Index" levels recorded by the Hutchins State Jail and calculated by me from historical climatological data obtained from an official weather reporting site only 6.3 miles from the Hutchins Facility during the dates Mr. McCollum was in Unit C-7 at this facility, the history of long repair times especially of essential precautionary measures (inoperative showers) and because of the reported Coroner's death diagnosis of "Hyperthermia" for Mr. McCollum, it is my conclusion\opinion that he was put at risk for heat related illnesses. He came into a very hot environment from an air-conditioned jail and within 4 days had a seizure and died of what the Coroner diagnosed as "Hyperthermia. These high heat environmental conditions noted in my report likely at least contributed to the risk for heat stroke, heat cramps, heat exhaustion and the death of Mr. McCollum while in the Hutchins State Jail in the summer of 2011. It appears, because of his death, that despite Mr. McCollum's age, poor physical condition, serious medical diagnosis and medication regime, he was not put in a high enough priority category when he first checked into the Hutchins State Jail, which should have included some stronger remedial steps which would, in my opinion, have offered some protection from the dangerous high heat conditions being encounter there at the time he came to this facility. Conservative and doable remedial measures, as already discussed, must be provided during high heat days. Especially the provision of limited air conditioned respite areas used on a rotating basis for high heat priority offenders or the installation of air conditioning in housing units for these types of offenders (elderly, medically compromised, and\or those offenders taking certain types of medications) needs to be undertaken at this facility so future heat illnesses and even deaths such as Mr. McCollum's death can be prevented. Adequate provision of these remedial precautionary measures do not appear to have been provided at this facility during the time Mr. McCollum was an inmate at the Hutchins State Jail from July 18 to July 22, 2011.

**Note:**

I, James J. Balsamo, Jr. have been retained by the Texas Civil Rights Project, Prisoner Rights Program, hereinafter "TCRP" at a rate of \$ 125.00 per hour for report research, inspections, site visits, report preparation and waiting time for court testimony, except for the day of testimony. Court testimony fees are \$2000.00 per day plus actual expenses such as travel (air and ground transportation), lodging meals and other miscellaneous expenses. Deposition fees are \$ 1500 per day, plus actual expenses for the preparation and court testimony. Of course all reasonable associated expenses will also be expected to be covered by the retaining of me for this investigation. My role, unless otherwise notified is to provide assistance as an expert consultant in the McCollum Case at the Hutchins State Jail in Dallas, Texas. My fees are in no way contingent on the nature of my findings or the outcome of any proceedings.

James J. Balsamo, Jr.    Environmental Health and Safety Consultant

Date: 20 December, 2013

**JAMES J. BALSAMO, JR.**

**HOME ADDRESS**

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**Tulane University  
Office of Environmental Health & Safety  
1430 Tulane Avenue, TW- 16  
New Orleans, Louisiana 70112-2699  
(504) 988-2872/ 988-5486  
Fax- 504-988-5590**

**MILITARY STATUS**

**Honorable Discharge, United States Army Reserves  
November, 1974: Senior Medical Specialist; E-5**

**EDUCATION**  
**DEGREES**

**M. H. A.      Hospital Administration, Tulane University School of Public Health and Tropical Medicine, New Orleans, Louisiana. 1996**  
**M. P. H.      Medical Care Administration, Tulane University School of Public Health and Tropical Medicine, New Orleans, Louisiana, 1973.**  
**M. S.      Dairy Nutrition Research, Louisiana State University, Baton Rouge, Louisiana, 1969.**  
**B. S.      Pre-Med, (Zoology) Louisiana State University, Baton Rouge, Louisiana, 1967.**

**LICENSES AND PROFESSIONAL CERTIFICATIONS**

**\*Registered Professional Sanitarian, State of Louisiana, License Number 443.**  
**\*National Registered Professional Sanitarian, National Environmental Health Association, Reg. No.70007**  
**\*Certified Occupational Hearing Conservationist, Certification Number 8990.**  
**\*Certified Hazard Control Manager, Master Level, Registration Number 811.**  
**\*Certified Healthcare Safety Professional, Executive Level, Certification Number 65.**  
**\*Certified Hazardous Materials Manager, Master Level, Certification No. 591.**  
**\*Certified Safety Professional, Comprehensive Practice (by Exam), Certification No. 7829.**  
**\*Advanced Safety Certificate, National Safety Council, 1985.**  
**\*Certified, AHERA: Inspector/Management Planner for Asbestos Abatement, State of Louisiana, Accreditation Number 4I111960 (Inspector), 4P111960 (Management Planner) 3-3-2014.**  
**\*Certified Food Safety Professional, National Environmental Health Association, Cert. No. 171, 1999- 2013**  
**\*Food Safety Certification, State of Louisiana, Office of Public Health, Certification No. 2190, 1999-2004**  
**\*Certified HACCP Manager, National Environmental Health Association, 6/ 23/ 2009-2014**  
**\*Diplomate Laureate, American Academy of Sanitarians; Certificate No. 003; July, 2000**

**EXPERIENCE**

- 2013-2014**      **Adjunct Professor of Public Health, Tulane University School of Public Health and Tropical Medicine., Dept. of Global Environmental Health Sciences, New Orleans, Louisiana.**
- 1998-2012**      **Clinical Assistant Professor of Public Health, Tulane University School of Public Health and Tropical Medicine., Dept. Environmental Health Sciences, New Orleans, Louisiana.**
- 1980-Present**      **Director, Office of Environmental Health and Safety, Tulane University;New Orleans, Louisiana.**
- 1988-Present**      **Consultant, General Safety, Life Safety and Sanitation (Environmental Health) for Institutions, Nursing Homes, Hospitals, Psychiatric Hospitals, Prisons, Jails, Juvenile Detention Centers, Schools for Developmentally Disabled, Colleges, Universities, and Day Care Centers, Expert Witness.**
- 1981-1998**      **Adjunct Instructor, Tulane University School of Public Health and Tropical Medicine, New Orleans, Louisiana.**
- 1979-1980**      **Acting Director, Office of Environmental Health and Safety, Tulane University, New Orleans, Louisiana.**
- 1973-1979**      **Assistant Environmental Health and Safety Officer, Tulane University, New Orleans, Louisiana.**
- 1974-1980**      **Instructor, Environmental Health Department, Part Time, Delgado Junior College, New Orleans, Louisiana.**
- 1971-1975**      **Weekend Drug Study Coordinator, Part-time, Tulane Medical School, New Orleans, La.**
- 1970**      **Phlebotomist, Part Time, Allied Biological Blood Bank, New Orleans, Louisiana.**
- 1972-1973**      **Deputy Director, Bureau of Personal Health Protection, Environmental Health Services, New Orleans Health Department; Registered Sanitarian. New Orleans, Louisiana.**
- 1971-1972**      **Sanitarian Supervisor, Recreational and Institutional Environmental Health Programs, New Orleans Health Department, New Orleans, Louisiana.**
- 1969-1971**      **Field Sanitarian, Food Control and General Sanitation, New Orleans Health Department, New Orleans, Louisiana.**
- 1967**      **Laboratory Research Assistant, Louisiana State University, Department of Dairy Nutrition, Baton Rouge, Louisiana.**

**OFFICES, COMMITTEES, AND BOARD APPOINTMENTS**

**1976-1983**      **State of Louisiana, State Board of Examiners for Sanitarians, Member and Chair**

**1971-Present**      **Louisiana Environmental Health Association: Member.**

**1974, 1984**      **President**

**1982-83**      **Chair, Publicity Committee**

**1971& 72, 1982,**      **Member, Constitution and By-Laws Committee (Chair 1995-2002)**

**1993-Present**

**1979**      **Member, Nominating Committee**

**1974, 1975, 1984**      **Official LEHA State Delegate to the Annual Educational Conference & Meeting of the National Environmental Health Assn.**

**1979, 1983**      **Chair, Education and Information Committee**

**1971-73, 1982-1984,**      **Member, Board of Directors**

**1992-2004, 2009-2014**

**1974 and 1984**

**Chair, Board of Directors**

**1981-86**      **Mutual Aid Association of New Orleans: Member**

**1984**      **Chair, Communications Committee and Board Member**

**President**

**1973-Present**

**2007-2008**      **National Environmental Health Association (NEHA): Member**

**President of NEHA Past Presidents' Affiliate**

**2004-2005**      **President NEHA**

**2001-2004**      **2<sup>nd</sup> VP, 1<sup>st</sup> VP, and President-Elect.**

**1982, 1984, 1987**      **Member, Campus Communities Committee**

**1983, 1988-89**      **Chair, Campus Communities Committee**

**1986-1992**      **Member, Scholarship Committee**

**1993-Present**      **Chair, Scholarship Committee**

**1994-2000**      **Chair, Institutional Environmental Health, Technical Section**

**Tulane University Medical Center Hospital and Clinic:**

**1977-1978**      **Member and Chair (1977), Safety Committee**

**1977-1982**      **Member, Infection Control Committee**

**1978**      **Member, Handicap Accessibility Committee**

**Tulane University:**

**2001-Present**      **Member Tulane EH&S Policy Committee & Operations Committee**

**2003-2012**      **Member Tulane Emergency Operations Committee**

**2003-Present**      **Tulane University Committee on Occupational Exposures**

**1979-80**      **Chair, Uptown Radioisotope and Radiation Safety Committee**

**1980-Present**      **Member, University Radioisotope and Radiation Safety Committee**

**1984-2001**      **Member, University Hazardous Waste Committee**

**1989-1995**      **Chair, University Safety Committee**

**1979-Present**      **Member, Institutional Bio-Safety Committee**

<b>1981-1985</b>	<b><u>Louisiana Society for Risk Management (Formerly Healthcare Risk/Safety Management Association of New Orleans):</u></b>
<b>1981-1985</b>	<b>Member</b>
<b>1981-82</b>	<b>Secretary</b>
<b>1983-84</b>	<b>Vice-President</b>
<b>1983-87</b>	<b><u>City of New Orleans, Hazardous Materials Response Advisory Committee</u></b>
<b>1999-2002</b>	<b><u>Local Emergency Planning Committee (LEPC) Healthcare Sub-Committee.</u></b>
<b>1999-2008</b>	<b>Member- LEPC, City of New Orleans</b>
	<b><u>Louisiana College and University Safety Association:</u></b>
<b>1984-1994&amp;1997-Present</b>	<b>Member</b>
<b>1985-1994</b>	<b>Secretary-Treasurer</b>
<b>1997-Present</b>	<b>Treasurer</b>
	<b><u>Louisiana Chapter of Certified Hazardous Materials Managers:</u></b>
<b>1992- 2005</b>	<b>Member, Charter (not active)</b>
<b>1993</b>	<b>Treasurer</b>
<b>1980-Present</b>	<b><u>American Biological Safety Association, Charter Member</u></b>
<b>1986</b>	<b>Member, Biological Safety Cabinet Certification Committee</b>
<b>1989</b>	<b>Co-Chairman 31st Biological Safety Conference, N.O., LA.</b>
	<b>Member, Nominating Committee</b>
<b>1993</b>	<b>Chair, Nominating Committee</b>
<b>1991-94</b>	<b>Member, Long Range Planning Committee</b>
<b>1994-97</b>	<b>Councilor- Executive Council</b>
<b>1998-1999</b>	<b>Chair, Editorial Board, the Journal American Biological Safety Association</b>
<b>2001</b>	<b>Chair, Local Arrangements Committee, 2001 ABSA Conference, N.O.,LA.</b>
	<b><u>Campus Safety, Health and Environmental Management Association:</u></b>
<b>1980-Present</b>	<b>Member,</b>
<b>1991-93</b>	<b>Member, Scholarship Committee</b>
<b>1994-95</b>	<b>Chair, Scholarship Committee</b>
<b>1997-99</b>	<b>Member, Conference Planning Committee</b>
<b>1998</b>	<b>Chair, Host Committee: 45<sup>th</sup> International Conference on Campus Safety</b>
<b>1998-2001</b>	<b>Executive Committee, Member-at-Large</b>
<b>2002-2003</b>	<b>Nominating Committee</b>
<b>2008-2009</b>	<b>Member, Host Committee: 56<sup>th</sup> International Conf. on Campus Safety</b>
	<b><u>American Academy of Sanitarians:</u></b>
<b>1981-Present</b>	<b>Diplomate- Member</b>
<b>2000-Present</b>	<b>Diplomate Laureate</b>

1994-2013	Board Member
1998-1999	Chair-Elect
1999- 2000	Chair
1998-2013	<u>Underwriters Laboratories-UL-2333-Technical Committee for Infrared Thermometers</u> Member: Chair, Steering Committee UL-2333
2004-2013	<u>National Sanitation Foundation:</u> Council of Public Health Consultants-Member Technical Committee on Biological Safety Cabinet-NSF Std. 49

#### MEMBERSHIPS (OTHER)

American Industrial Hygiene Association  
American Society for Hospital Engineering  
Deep South Health Physics Society  
Louisiana Emergency Preparedness Association  
Louisiana Public Health Association  
National Fire Protection Association

#### TEACHING EXPERIENCE

1968	<b>Basic Nutrition Laboratory, Teaching Assistant</b> <b>Louisiana State University Dairy Department, Baton Rouge, Louisiana</b>
1971-73	<b>Food Service Sanitation Training Courses</b> <b>City of New Orleans Health Department, New Orleans, Louisiana</b>
1973-80	<b>Institutional Environmental Health Lecturer</b> <b>Delgado Junior College, New Orleans, Louisiana</b>
1973-80	<b>Hospital Environmental Health and Safety Lecturer</b> <b>Delgado Junior College, New Orleans, Louisiana</b>
1974-80	<b>Environmental Monitoring, Instructor</b> <b>Delgado Junior College, New Orleans, Louisiana</b>
1976-77	<b>Peace Corp Sanitation/Environmental Health Training, Instructor</b> <b>Tulane University, New Orleans, Louisiana</b>
1973-1985 1975, 78, 79	<b>Food Service Sanitation Training Course (Employees), Instructor, Tulane U.</b> <b>Introduction to Environmental Health Course, Instructor</b>
1976-78	<b>Institutional Environmental Health and Safety, Lecturer</b> <b>Delgado Junior College, New Orleans, Louisiana</b>

**1979-Present Institutional Environmental Health and Safety, Course Instructor**

**Tulane University School of Public Health & Tropical Medicine  
New Orleans, Louisiana (Taught Course via Distance Learning Mode-1999)**

**1999-2007 Current Issues in Industrial Hygiene and Safety- Internet Based-Distance Learning Course - Lecturer, Medical Waste and Domestic Chemical & Biological Terrorism, Tulane University, School of Public Health and Tropical Medicine.**

**2008-Present Current Issues in Industrial Hygiene and Safety, Internet Based – Distance Learning Course - Instructor -Tulane University, School of Public Health and Tropical Medicine. Domestic Chemical & Biological Terrorism, Disaster Management, Occupational Exposure Limits for Sensitizers, Safety Principles, etc., Tulane University, School of Public Health and Tropical Medicine.**

**1997-2000 Introduction to Environmental Health, Lecturer, Tulane University School of Public Health & Tropical Medicine, New Orleans, Louisiana**

**1976-1980 Food Service Sanitation Course, Instructor  
Delgado Junior College, New Orleans, Louisiana**

**1977-1978 Occupational Health Nursing Continuing Education Course, Instructor  
Tulane University, New Orleans, Louisiana**

**1976, 1977 OSHA Compliance Officer Training Course, Instructor  
Tulane University- New Orleans, Louisiana**

**1983, 1984 Environmental Health Sciences, Lecturer, Environmental Health Sciences Program, Louisiana State University, Baton Rouge, Louisiana**

**1982 Environmental Health in Developing Countries, Lecturer  
Tulane School of Public Health and Tropical Medicine, New Orleans, Louisiana**

**ACTIVITIES, 1968 TO PRESENT**

**1967-69 Dairy Nutrition Research Lab, Louisiana State University, Baton Rouge, Louisiana**

- Routine Nutritional Analyses of Food, Feeds, Milk, and Blood
- Assisted with Departmental and Personal Nutrition Research Projects.

**1969-73 New Orleans Health Department**

- Solid Waste Activities
- Housing Inspections
- Swimming Pool Inspections
- Food Sanitation Inspections
- Plans Review of New and Renovated Facilities
- Insect and Rodent Control
- Individual Sewage Disposal Systems
- Training Courses and Seminars
- Institutional Environmental Health Inspections
- Program Planning and Evaluation
- Toxic Substances Activities

- Accident Prevention Activities
- Recreational Environmental Health Inspections
- Personnel Supervision and Evaluation

	<b>Allied Biologicals, Blood &amp; Plasmapheresis Ctr. (Part Time), New Orleans, LA.</b>
1970	<ul style="list-style-type: none"><li>- Performed Phlebotomies</li><li>- Performed Physical Examinations on Donors</li><li>- Separation and Preparation of Plasma from Whole Blood</li></ul>
1971-75	<b>Tulane Univ. Medical School, Dept. of Medicine (Part Time), New Orleans, LA.</b> <ul style="list-style-type: none"><li>- Blood Drawing, Administering EKGs , and monitoring of Human Donors for adverse effects, drug safety, and/or dose effectiveness after being given experimental drugs.</li><li>- Coordination of Drug Studies</li></ul>
1974-1980	<b>Delgado Junior College, Department of Environmental Health (Part Time), New Orleans, Louisiana</b> <ul style="list-style-type: none"><li>- Environmental Monitoring Course</li><li>- Institutional Environmental Health Lectures</li><li>- General Environmental Health Course</li><li>- Food Service Sanitation Course</li></ul>
1973-Present	<b>Tulane University, Office of Environmental Health &amp; Safety, New Orleans, LA.</b> <ul style="list-style-type: none"><li>- Inspection of Food Facilities</li><li>- Fire Safety Inspections</li><li>- OSHA Safety Inspections</li><li>- Review Plans for New Facilities, New Structures \Renovation Projects</li><li>- Epidemiological Investigations</li><li>- Radiological Health Functions</li><li>- Industrial Hygiene Activities</li><li>- Radiological and Hazardous Waste Disposal</li></ul> <b><u>Tulane University Cont'd.</u></b> <ul style="list-style-type: none"><li>- Consultation on all matters affecting Health &amp; Safety at Tulane University</li><li>- General Sanitation and Waste Disposal Activities</li><li>- Institutional Environmental Health and Safety Course, Lecturer and Instructor, Tulane University School of Public Health and Tropical Medicine</li><li>- Lecturer in Introduction to Environmental Health Course, and Current Topics in Environmental Health Sciences, Tulane University School of Public Health and Tropical Medicine</li><li>- In-Service Seminars in Fire, Hurricane Disaster Planning and General Safety, Tulane University Medical Center Hospital and Clinic</li><li>- Committee Membership, Bio-Safety, Radioisotope/Radiation Safety, University EH&amp;S Operations Committee and Policy Committee</li></ul>

- University Safety Committee & Committee on Occupational Exposures.
- Environmental Health and Safety Program Planning, Budget Preparation, Office and Staff Management.
- Directed Tulane Occupational Health and Safety Consulting Services.

These activities involve the Tulane University Health Sciences Center, Tulane University Main Campus, Tulane National Primate Research Center, F. Edward Hebert Center, and (1976-2001)Tulane University Medical Center Hospital and Clinic.

**1988-PRESENT- Consultant in Institutional Environmental Health and Safety for Prisons, Jails, Juvenile Detention Centers, Psychiatric Hospitals, Schools for The Developmentally Disabled, Schools and Universities. Expert Witness. Qualified in Federal Court, States of Oklahoma, Mississippi, Texas and U.S. Virgin Islands.**

#### **PUBLICATIONS**

**J. F. Beatty, J. D. Roussell, J. A. Lee, L. L. Rusoff, and J. J. Balsamo, Jr., "Effect of Vitamin A Supplement on Physiological Responses to Thermal Stress of Holstein Steers," Southern Agricultural Workers, Journal of Dairy Science, April 1969.**

**J. T. Weng, R. A. Smith, J. J. Balsamo, J. M. Gooding, R. R. Kirby, "A Method of Scavenging Waste Gases from the Jackson-Rees System." Anesthesiology Review. VII: 35- 58, 1980.**

**J. J. Balsamo, H. G. Scott, "The Urban Scene - New Orleans," Journal of Environmental Health. V.44(3):108-114, 1981.**

**P. Mayeux, L. Dupepe, K. Dunn, J. J. Balsamo, J. Domer, "Massive Fungal Contamination in Animal Care Facilities Traced to Bedding Supply." Journal of Applied and Environmental Microbiology, Vol. 61, No. 6, pp. 2297-2301, June 1995.**

**J.J. Balsamo, Jr., R.W. Powitz, Tools for Environmental Health Professionals, J. Environmental Health, 59:No. 8, 1997----66:No 4, 2003**

#### **PROCEEDINGS**

**J. J. Balsamo, "Role of a Safety Professional on the Occupational Health Team." Occupational Health Nursing, edited by E. Treuting, pp. 9-14. New Orleans, 1979.**

**J. J. Balsamo, "Chloroform." Occupational Health Nursing, edited by E. Treuting, pp. 79-78. New Orleans, 1979.**

**J. J. Balsamo, "Lighting." Occupational Health Nursing, edited by E. Treuting, pp 79-86. New Orleans, 1979.**

**J. J. Balsamo, "Ergonomics." Occupational Health Nursing, edited by E. Treuting, pp. 87-93.**

**New Orleans, 1979.**

**J. J. Balsamo, "Lead." Occupational Health Nursing, edited by E. Treuting, pp. 95-103.**

**New Orleans, 1979.**

## **PRESENTATIONS**

**James J. Balsamo, Jr., "Hazardous Material: Lead," Southeastern Council of the National Association of Housing and Redevelopment Officials, July 16, 1991, New Orleans, LA.**

**James J. Balsamo, Jr., "Concurrent Asbestos and Lead Abatement," National Environmental Health Association 56th Educational Conference, June, 1992, Winnipeg, Canada.**

**James J. Balsamo, Jr., and Robert Powitz, "Environmental Health and Safety Instrumentation Workshop," National Environmental Health Association 53rd Education Conference, June 25, 1989, Seattle, Washington, and the 55th Educational Conference, June 23, 1991, Portland, Oregon.**

**James J. Balsamo, Jr., "Hospital Fire Safety," National Fire Protection Association Annual Educational Conference, May, 1992, New Orleans, Louisiana.**

**James J. Balsamo, Jr., "Lead Paint Removal from a Day Care Center on a University Campus," 40th International Conference of The Campus Safety Association, July 11-16, 1993, Bellingham, WA.**

**James J. Balsamo, Jr., and Robert Powitz, "Instruments to Enhance Environmental Health Performance: Environmental Audits and Assessments," The Thirty-Fifth Navy Occupational Health and Preventive Medicine Workshop, Feb. 26-27, 1994, Virginia Beach, Virginia.**

**James J. Balsamo, Jr., "Solving a Massive Fungal Contamination Problem in Animal Facilities," 42nd International Conference of The Campus Safety Association, July 9-14, 1995, Honolulu, Hawaii.**

**James J. Balsamo, Jr., The Art of Preparing Written Reports, Presentations and Other Products, and Affordable Tools for the Consulting Sanitarian, National Environmental Health Association, 60th Annual Education Confer. July 1, 1996, Chicago, Ill. and 63<sup>rd</sup> Annual Education Confer., July 7, 1999, Nashville, TN.**

**James J. Balsamo, Jr. and Robert W. Powitz., Tools for Environmental Health Professionals Workshop, Feb. 10, 2000, Alaska Environmental Health Association's Educational Conference in Anchorage, Alaska., and January 29, 2002, Louisiana Environmental Health Association, Annual Educational Conference.**

**"Thanks Osama- Environmental Health Awakening," Keynote Presentation at the 2002 Texas Environmental Health Assn. Educational Conference, Fort Worth, Texas: March, 23, 2002**

**"Bio-Terrorism Initiatives of the National Environmental Health Association," Keynote at Yankee Environmental Health Conference in Plymouth, Mass., January, 2004.**

**"Update on National Environmental Health Association Professional Activities," Louisiana Environmental Health Association Educational Conference, Jan. 27, 2005.**

**"Partnering for Success by The National Environmental Health Association," Banquet Keynote at New Jersey Environmental Health Association Annual Educational Conference., Atlantic City, New Jersey, March 8, 2005.**

**"What NEHA Can Do for You," Keynote at the Idaho Environmental Health Association Educational Conference, Boise, Idaho, March 23, 2005.**

**"Institutional Housing from a Public Health Perspective," California Environmental Health Association Educational Conference, Monterey, CA., April 26, 2005.**

**"Role of The Tulane University Office of Environmental Health and Safety in the University's Preparation for and Recovery from Hurricane Katrina" Presented at The Campus Safety, Health and Environmental Management Association Annual Educational Conference, Anaheim, CA., July 17, 2006**

**"The Role of Local Health Department Sanitarians in Natural Disasters and Terrorism Events." Louisiana State Dept. of Health & Hospital, Sanitarian Services Educational Meeting. Baton Rouge, LA. November 1, 2006.**

**James J. Balsamo, Jr. and Robert W. Powitz., Tools for Environmental Health Professionals Workshop, Feb.10, 2000, Alaska Environmental Health Association's Educational Conference in Anchorage, Alaska., and January 29, 2002, Louisiana Environmental Health Association, Annual Educational Conference.**

**"Instrumentation Workshop for Food Service Inspections," Presented by R.W. Powitz, Ph.D. R.S., DLAAS, and J. J. Balsamo, Jr., MS, MPH, MHA, R.S., CSP, DLAAS. "National Environmental Health Association 71st Annual Educational Conference," Atlantic City, N.J., June 17-21, 2007.**

**HONORS AND AWARDS:**

**Certificate of Merit, National Environmental Health Association as "Outstanding Sanitarian in Louisiana for 1975."**

**"Outstanding Contributions Award," Louisiana Environmental Health Assn. for 1978-79.**

**"Diplomate," American Academy of Sanitarians, Awarded June 5, 1981.**

**Member, ETA Chapter Delta Omega, National Honorary Society in Public Health 1984-85.**

**"Outstanding Registered Sanitarian," Louisiana Environmental Health Association 1984-85.**

**"President's Award," Louisiana Environmental Health Association, 1974 & 1984-85.**

**"Certificate of Merit," National Environmental Health Association, 1985 and 1992.**

**"Certificate of Merit," Mayor's Office, City of New Orleans, 1985.**

**"Certificate of Appreciation," American Biological Safety Association, 29th Biological Safety Conference, October 5-9, 1986.**

"Certificate of Appreciation," American Academy of Sanitarians, June, 1998  
"Certificate of Appreciation," National Environmental Health Assn., 1988, 1992, 1998, 2000 & 2002.  
Who's Who in the Safety Profession, National Security Institute, 1990-91.  
Who's Who, Environmental Registry, Citation's, 1992.  
"Certificate of Merit," Campus Safety Association, 1995.  
"Award of Appreciation," The National Environmental Health Association, 1995, 1996,  
1997, 1998, and 1999.  
'Certificate of Appreciation,' Campus Safety, Health and Environmental Management Assn.,  
1996, 1998, 2000 and 2006.  
"Certificate of Appreciation," Louisiana Chapter-Certified Hazardous Materials Managers 8/23/96.  
"Outstanding Environmental Professional," Louisiana Environmental Health Assn, 2000-2001.  
"Diplomate Laureate," July, 2000, American Academy of Sanitarians.  
Journal Technical Editor's Award; National Environmental Health Association, 2000.  
The Davis Calvin Wagner Award, July, 2001, American Academy of Sanitarians.  
"The Past-President Pin," National Environmental Health Association, June 29, 2005.  
"Certificate of Appreciation" Campus Safety, Health and Environmental Management  
Association, July 15, 2006  
"Walter F. Snyder Award" presented by The National Sanitation Foundation, International and  
the National Environmental Health Association, May, 2010

**SPECIAL COURSES AND EDUCATIONAL CONFERENCES ATTENDED:**

"Organizational Development," H. E. W., Public Health Service Training Institute of the  
Environmental Control Administration, New Orleans, Louisiana, January 18-22, 1971.

"Environmental Science," H. E. W., Department of Environmental Health, U. S. Public Health  
Service Hospital, New Orleans, Louisiana, June 3-22, 1971.

"Investigation of a Foodborne Disease Outbreak," Center for Disease Control, New Orleans,  
Louisiana, May 29-June 1, 1972.

"Occupational Health, Safety and Industrial Hygiene Workshop," Department of the Navy, New  
Orleans, Louisiana, September 30-October 4, 1974.

Seminar on Injury Control and Consumer Product Safety, National Environmental Health  
Association, Minneapolis, Minnesota, July 1, 1975.

"Basic Course in Health Physics," Louisiana State University Nuclear Science Center, Louisiana  
State University, Baton Rouge, Louisiana, December 13-17, 1976.

"Biohazard and Injury Control in the Biomedical Laboratory," National Cancer Institute,  
University of Minnesota School of Public Health, Birmingham, Alabama, November 1-3, 1977.

"Basic Hospital Safety Course, "September 12-17, 1977 and ."Advanced Hospital Safety Course,"  
July 5-7, 1978, Central Florida Safety Council, National Safety Council, Orlando, Florida,

"Hospital Safety Clinic," Joint Commission on Accreditation of Hospitals, Arkansas Hospital  
Association, Little Rock, Arkansas, December 12, 1978.

**"OSHA Short Course on Laboratory Safety," U. S. Department of Labor, OSHA Training Institutes, Auburn, Alabama, June 25-27, 1980.**

**"Control of Biohazards in the Research Laboratory," National Institutes of Health, National Cancer Institute, Johns Hopkins Hospital, Baltimore, Maryland, August 10-22, 1980.**

**"Hospital Safety Workshop," Southern Baptist Hospital, Joint Commission on Accreditation of Hospitals, New Orleans, Louisiana, February 25, 1982.**

**"Occupational Health Symposium," Deep South Section, American Industrial Hygiene Association, Baton Rouge, Louisiana, May 19, 1982.**

**"Life Safety Code Seminar," National Fire Protection Association, Baton Rouge, Louisiana, May 24-27, 1982.**

**"Bomb Threat and Disaster Drill Workshop," Southern Baptist Hospital, New Orleans, Louisiana, February 17, 1983.**

**Asbestos, "The Workplace, Buildings and Schools: Risk Assessment and Management," Johns Hopkins School of Public Health, Baltimore, Maryland, April 25, 1984.**

**"Safety Management Techniques," National Safety Council, New Orleans, Louisiana, June 17-19, 1985.**

**"Indoor Air Quality," Air Pollution Control Association, New Orleans, Louisiana, Jan., 29, 1986.**

**"Fire Safety in Facilities Housing the Elderly," National Fire Protection Association Seminar, New Orleans, Louisiana, May 13, 1986.**

**"Health Law Symposium," Louisiana Hospital Association, New Orleans, Louisiana, November 7-10, 1989.**

**"AHERA: Inspector/Management Planner Refresher Course," Tulane University Medical Center, New Orleans, Louisiana, 1990 - 1995.**

**"OSHA's Trenching and Excavation Seminar," Metropolitan Safety Council, New Orleans, Louisiana, May 9, 1990.**

**"Industrial Hygiene Review," Midwest Center for Occupational Health and Safety, St. Paul, Minnesota, August 5-9, 1991.**

**"OSHA Compliance in Louisiana," National Business Institute, New Orleans, Louisiana, September 6, 1991.**

**"Tackling Environmental Issues in Louisiana," Cambridge Institute, New Orleans, La., September 18, 1992.**

**Campus Compliance Hazardous Materials Workshop," Oak Ridge Associated Universities, Georgia Institute of Technology, Atlanta, Georgia, October 1-2, 1992.**

**Louisiana Emergency Preparedness Association, HazMat Training, Kenner, LA., June 20, 1992.**

**"Bioaerosols and Indoor Air," American Biological Safety Conference, San Francisco, California, October 24, 1992.**

**"American with Disabilities Act," Metropolitan Safety Council, New Orleans, LA, March 31, 1992.**

**"Industrial Hearing Continuing Certification Course," Council for Accreditation in Occupational Hearing Conservation, Covington, Louisiana, March 12, 1993-2002.**

**"Eight Hour Lead Residue and Lead Based Paint Hazard Identification and Abatement Course," Wynn L. White Consulting Engineers, Inc., Baton Rouge, Louisiana, July 29, 1993.**

**"OSHA Compliance Update in Louisiana," National Business Institute, New Orleans, La., July 14, 1994.**

**"Bloodborne Pathogen Protection Seminar," Metropolitan Safety Council, New Orleans, Louisiana, 1994.**

**"Industrial Hygiene Seminar," Metropolitan Safety Council, New Orleans, Louisiana, 1994.**

**"EH&S Professional and the Laboratory Design Process," Pre-Conference Professional Development Course, American Biological Safety Assn., Williamsburg, VA., October 23, 1994.**

**"The 59th Annual Educational Conference," National Environmental Health Association, Denver, Colorado, June 11-29, 1995.**

**"Health Risk Communication Workshop for Environmental Health Professionals." National Environmental Health Association, Chicago, Ill., June 28, 1996.**

**Introduction Into ISO 14000, Environmental Management System Standards, Competitive Edge Environmental Management Systems, Inc. New Orleans, LA., August 19, 1996.**

**Advanced Workers= Compensation In Louisiana Seminar, National Business Institute, Inc., New Orleans, Louisiana. October 11, 1996.**

**61<sup>st</sup> Annual Educational Conference, National Environmental Health Association, Washington, DC, June 28-July 2, 1997**

**40<sup>th</sup> Annual Biological Safety Conference, and Bioaerosols Seminar, American Biological Safety Association, La Jolla, CA., October 19-22, 1997**

**Indoor Air Quality Investigations Seminar, Jerry Tulis, Ph.D., New Orleans, LA., July 23, 1998**

**Train-the-Trainer Emergency Responder Nuclear, Biological, and Chemical Responder Awareness Level Training--8/4/98 Technician - Hospital Provider Course--8/6/98 Operations Level Training--8/5/98 Sponsored by The U.S. National Domestic Preparedness Program, New Orleans, LA.**

**Gene Therapy, and Ventilation Basics, 41<sup>st</sup> Annual Biological Safety Conference; American Biological Safety Association, Lake Buena Vista, Florida, October 25-28, 1998**

**RMD's LPA-1 Lead Paint Inspection System Training Course; Jacob Paster, RMD, Inc., New Orleans, LA. April 21, 1999**

**Domestic Terrorism: Local Preparation for Chemical and Biological Events, National Environmental Health Association, 63<sup>rd</sup> Annual Educational Conference, Nashville, Tennessee. July 6-9, 1999**

**Certified Food Safety Professional Examination Review Course, National Environmental Health Association, Nashville, Tennessee. July 5, 1999**

**Domestic Preparedness Measured Response Biological Terrorism Tabletop Exercise. Office of Emergency Preparedness: Domestic Preparedness Program., July 27, 1999., New Orleans, LA.**

**24 Hour Hazmat Operations Level Training, New Orleans Municipal Training Academy, New Orleans, LA., Sept., 13,14,15, 1999.**

**Biological Warfare and Terrorism: The Military and Public Health Response Satellite Broadcast; U.S. Army Medical Research Institute of Infectious Diseases and Centers for Disease Control and Prevention, V.A. Hospital, New Orleans, LA., September 21, 22, 23, 1999.**

**42 Annual Biological Safety Conference, American Biological Safety Association, St. Louis, MO., October 16-19, 1999.**

**Louisiana Environmental Health Association Annual Educational Conference, Lafayette, LA., January 27, 2000.**

**Alaska Forum on the Environment-2000, Alaska Environmental Health Association Educational Conference, Anchorage, Alaska, February 8-10, 2000.**

**EPA Region 3 Seminar-EPA University Initiative, Johns Hopkin Univer., Baltimore, MD. 5-1-2000**

**Weapons of Mass Destruction, Incident Management/Unified Command, U.S. Dept. of Justice; Texas A&M National Emergency Response & Rescue Training Center (NERRTC), New Orleans, LA, May 15-19, 2000.**

**Domestic Terrorism: Local Preparation for Chemical and Biological Events, NEHA Workshop, June 18 & 19, 2000. NEHA 64<sup>th</sup> Annual Educational Conference, June 15-19, 2002; Denver, CO**

**International Conference on CampusSafety, Campus Safety, Health and Environmental Management Association, Stanford University, California; July 15-19, 2000.**

**Environmental Health and Safety Professionals and the Law, Robert Clifford and William Collier, CSHEMA; Stanford, California, July 20, 2000.**

**AHERA Asbestos Inspector and Management Planner Refresher Course, Louisiana State University, Baton Rouge, LA., August 16, 2000.**

**Biological Warfare and Terrorism, Medical Issues and Response, Satellite Broadcast by U.S. Army Medical Research Institute of Infectious Diseases, New Orleans, Louisiana; September 26, 27, & 28, 2000.**

**Human Gene Therapy: Molecular Biology and Viral Vectors; Human Gene Transfer Clinical Trials; and Infection Control, Three (3) Seminars presented by The American Biological Safety Association, Washington, DC; October 21 & 22, 2000**

**The 54<sup>th</sup> Louisiana Environmental Health Association- Annual Educational Conference, New Orleans, Louisiana, January 31 & February 1, 2001**

**Food Safety Workshop, Texas Environmental Health Association ; El Paso, Texas; March 24, 2001**

**National Environmental Health Association's 65<sup>th</sup> Annual Educational Conference, Atlanta, Georgia, July 1-3, 2001.**

**48<sup>th</sup> International Conference on Campus Safety, Campus Safety, Health and Environmental Management Association, Texas A&M University, July 9 -11, 2001.**

**AHERA Asbestos Inspector and Management Planner Refresher Course, ASCI, Ken Talbot, Baton Rouge, LA., December 6, 2001.**

**Food Bio-Security Symposium, Association of Food and Drug Officials; New Orleans, LA. March 27, 2002.**

**RMD's LPA-1 Lead Paint Inspection System Training Course; Jacob Paster, RMD,Inc., New Orleans, LA. May 1, 2002.**

**Industrial Hearing Conservationist Training Course, Dr. Michael F. Seidemann, Ph.D., Kenner, Louisiana; May 22, 2002.**

**National Environmental Health Association's 66<sup>th</sup> Annual Educational Conference, Minneapolis, Minn., June 29-July 3, 2002.**

**49<sup>th</sup> International Conference on Campus Safety, Campus Safety, Health and Environmental Management Association, Toronto, Canada; July 13 -18, 2002.**

**45<sup>th</sup> Annual Biological Safety Conference, October 19-23, 2002 and two, 4 hour seminars Effective Bio-Safety Committee and Advanced Lab Design and Ventilation, Presented by The American Biological Safety Association., October 19 and 20, 2002.**

**Surveillance and Reporting of Infectious Diseases for ICP and Laboratorians National Laboratory Training Network, CDC, October 25, 2002.**

**National Environmental Health Association's 67<sup>th</sup> Annual Educational Conference, Reno, NV., June 6-11, 2003.**

**50<sup>th</sup> International Conference on Campus Safety, Campus Safety, Health and Environmental Management Association, Vanderbilt University, July 11- 18, 2003**

**Counter Terrorism Awareness and Operational Security Course Tulane Disaster Response Training Center., New Orleans, La., April 15, 2004.**

**Epi-Ready Foodborne Illness Response Strategies Workshop, National Environmental Health Association, Anchorage, Alaska, May 6, 2004.**

**National Environmental Health Association's 68<sup>th</sup> Annual Educational Conference, Anchorage, Alaska, May 8-12, 2004.**

**Biosafety Level 3: Facility Design and Laboratory Operations. American Biological Safety Association Summer Course. Chicago, IL.,(16 hrs.) June 21 & 22, 2004.**

**Surviving Select Agent Inspections. American Biological Safety Association, Chicago, IL., (4 hrs), June 23, 2004.**

**Certified Workers, "Compensation Professional Program-Principles of Workers' Compensation." Louisiana Association of Self-Insured Employers. Baton Rouge, LA., July 28, 2004.**

**Campus Public Safety Response to Weapons of Mass Destruction (WMD) Incidents. LSU National Center for Biomedical Research and Training and International Association of Campus Law Enforcement Administrators. New Orleans, LA., July 29, 2004.**

**Chartered Institute of Environmental Health Conference and Exhibition 2004," Torquay, England. September 14-16, 2004.**

**"Louisiana Environmental Health Association Annual Educational Conference," St. Francisville, LA., Jan. 25-27, 2005.**

**"New Jersey Environmental Health Association Educational Conference" Atlantic City, New Jersey, March 8 and 9, 2005.**

**“Idaho Environmental Health Association Annual Educational Conference” Boise, Idaho, March 23 and 24, 2005.**

**“IBC Bio-Safety\Bio-Security Seminar” Barbara A. Ellis, Ph.D., CDC Select Agent Program , Tulane University, New Orleans, LA., April 8, 2005.**

**“Council of Public Health Consultants’ Orientation,” National Sanitation Foundation, Ann Arbor, Michigan, April 13, 2005.**

**“California Environmental Health Association Annual Educational Conference,” Monterey, CA., April 26 and 27, 2005.**

**“Haz Mat Training-Core Disaster Life Support,” Louisiana Office of Emergency Preparedness, Louisiana Office of Homeland Security & Emergency Preparedness Annual Conference, New Orleans, LA., June 3, 2005.**

**“Responding To Emergencies in Biological Laboratories,” American Biological Safety Association Summer Series, Albuquerque, New Mexico, June 6, 2005.**

**“Principles of Laboratory Biosecurity Course,” American Biological Safety Association Summer Series, Albuquerque, New Mexico, June 7, 2005.**

**“Asbestos Management Planner /Inspector Refresher Course,” Division of Continuing Education, Louisiana State University, Baton Rouge, LA., June 9, 2005.**

**“American Society of Safety Engineers, Safety 2005 Professional Development Conference and Exposition.” New Orleans, LA., June 13-15, 2005**

**“National Environmental Health Association 69<sup>th</sup> Annual Educational Conference,” Providence, R.I, June 25-29, 2005.**

**“Campus Safety, Health and Environmental Management Association’s Annual Educational Conference”, Philadelphia, Pennsylvania., July 11-16, 2005**

**“National Environmental Health Association 70<sup>th</sup> Annual Educational Conference,” San Antonio, TX., June 25-28, 2006.**

**“Campus Safety, Health and Environmental Management Association’s Annual Educational Conference”, Anaheim, CA., July 15-19, 2006**

**Louisiana State Dept. of Health & Hospital, Sanitarian Services Educational Meeting. Baton Rouge, LA. November 1 &2, 2006.**

**“Louisiana Environmental Health Association Annual Educational Conference,” Baton Rouge, LA., April 5, 2007**

**“National Environmental Health Association 71st Annual Educational Conference,” Atlantic City, N.J., June 17-21, 2007.**

**“Campus Safety, Health and Environmental Management Association’s Annual Educational Conference”, Boston, Mass. , July 22-26, 2007.**

**Counter Terrorism Awareness and Operational Security Course Presented by University of West Virginia, Homeland Security Training Program at the University of New Orleans, New Orleans, LA., August 30, 2007.**

**“Department of Homeland Security Webcast on The Chemical Security Act,” Presented by the National Association of Colleges & Universities Business Officers and the Campus Safety, Health, and Environmental Management Association, November 29, 2007.**

**“AHERA Asbestos Management Planner/ Inspector Refresher Course,” Presented by ACSI, Baton Rouge, LA., December 7, 2007.**

**“National Environmental Health Association 72nd Annual Educational Conference,” Tuscon, Arizona., June 22-25, 2008.**

**“Campus Safety, Health and Environmental Management Association’s Annual Educational Conference”, St. Louis, Missouri, July 26-30, 2008.**

**“National Environmental Health Association 73rd Annual Educational Conference,” Atlanta, Georgia., June 21-24, 2009.**

**HACCCP Manager Certification Course, NEHA 2009 Professional Development Seminars, Atlanta, Georgia, 8 hours; June 20, 2009.**

**“Campus Safety, Health and Environmental Management Association’s 56<sup>th</sup> Annual Educational Conference,” New Orleans, LA. July 11-15, 2009.**

**“AHERA Asbestos Management Planner/ Inspector Refresher Course,” Presented by LSU School of Continuing Education, Baton Rouge, LA., June 2, 2010.**

**“National Environmental Health Association 74th Annual Educational Conference,” Albuquerque, New Mexico. , June 5-9, 2010.**

**“Campus Safety, Health and Environmental Management Association’s 57<sup>th</sup> Annual Educational Conference,” Baltimore, MD., July 18-21, 2010.**

**“Creating a New Research Building: The Role of EHS in Obtaining Optimal Outcome,” Professional Development Seminar, Presented by the Campus Safety, Health & Environmental Management Association (CSHEMA), Baltimore, Maryland. 4 hours; July 17, 2010.**

**“Auditing and Inspections: A Management Systems Approach,” Professional Development Seminar, Presented by the Campus Safety, Health and Environmental Management Association (CSHEMA), Baltimore, Maryland. 4 hours; July 18, 2010.**

**“National Environmental Health Association 75th Annual Educational Conference,” Columbus, Ohio, June 17-20, 2011. 16.5 Contact hours.**

**“Essentials of Industrial Hygiene Sampling for the Environmental Health Practitioner,” Professional Development Seminar Presented by the National Environmental Health Association (NEHA), Columbus , Ohio. 8 Contact hours., June 17, 2011.**

**“National Environmental Health Association 76th Annual Educational Conference,” San Diego, CA., June 26-30, 2012. 18.5 Contact Hours.**

**“National Environmental Health Association” San Diego, CA., Professional Development Workshop: “Commercial Cooking Ventilation Requirements” 4 Contact hrs. June 27. 2012.**

**“Campus Safety, Health and Environmental Management Association’s 59th Annual Educational Conference,” Portland, Oregon, July 14 – 18, 2012.**

**“Campus Safety, Health and Environmental Management Association- Professional Development Workshop. “OSHA From The University Viewpoint” Portland, OR., July 14, 2012. 4 Contact hrs.**

**“Campus Safety, Health and Environmental Management Association- Professional Development Workshop. “Laser Safety 101 Training Course” Portland, OR., July 14, 2012. 4 contact hrs.**

**Louisiana Environmental Health Association Annual Educational Conference, Baton Rouge, LA., March, 14, 2013 6 contact hrs.**

**National Environmental Health Association 77th Annual Educational Conference, Washington, D.C., CA., July 9-12, 2013. 18.0 Contact Hours.**

**CASE LIST: James J. Balsamo, Jr., Environmental Health & Safety Consultant**

Mr. Balsamo is a Consultant in the areas of Environmental/Occupational Health and Safety including sanitation(environmental health), hygiene, general safety and fire&life safety. As such, he has inspected prisons, jails, juvenile detention facilities, psychiatric hospitals, and homes for the developmentally disabled for plaintiff and defendants. He has served as Court Appointed Third Party Expert and as Expert for Court Appointed Master in several cases.

Mr. Balsamo has worked on the following cases:

I. **For the United States Department of Justice, 1989-Present**

San Antonio, Texas, Jail  
Florida, Juvenile Detention Center  
Eight County Jails, in one county in California  
Michigan 2 Psychiatric Hospitals  
Boys Juvenile Detention Facility, Montana  
Girls, Juvenile Detention Facility, Montana  
Tennessee County Jails, (2)  
Wisconsin, Schools (2)for Developmentally Disabled  
Alabama, Juvenile Detention Facility  
Mississippi County Jails (3 )  
Mississippi Juvenile Detention Facility  
4 County Jails in Georgia.  
County Jail, Arkansas.  
County Jail, Alabama.  
Mental Health Center –Read), Illinois  
Oklahoma County Jails. (2)  
County Jail, New York State  
City Jail, and a County Jail in Virginia  
Arizona County Jails (2) Globe County Jail \*\*\*  
Nevada County Jail, Las Vegas  
Kentucky County Jails (2) (one jail-Paducah-Safety & Sanitation issues cleared)\*\*\*  
Baltimore City Detention Center and Central Booking and Holding Facility  
Iowa County Jail  
Montana State Prison (1)  
Wyoming State Prison (1) (Safety & Sanitation -EH&S- Issues Cleared)\*\*\*  
Oklahoma State Prisons, (5) (Joint Consultant USDOJ and State of Oklahoma-initially) and  
&USDOJ Subject Expert (DP) & (TT) FED – As far as I know, my issues were  
adjudicated for one prison and the cases against the other prisons were settled. \*\*\*  
Michigan State Prisons (5);MSP Marquette, MSP for Men, Egler MSP, Central MSP, Jackson,  
Michigan.  
Alabama State Prison, Women (1)  
Prison(1),Jails(5), & Juvenile Detention Facility; Guam & The Marianna Islands.(Saipan etc.),\*\*\*  
(These cases were under consent decree & were being settled when I left case. 2005)  
Prison (1) and Jails (1) in U.S. Virgin Islands, Golden Grove.,St.Croix (CH) (TT)(FED.

2) **Miscellaneous Activities:**

Expert for Orleans Parish Sheriff-Haddix Case-New Orleans Parish Prison, 1993. (D)  
New Orleans Parish Prison, Juvenile Facility & WorkRelease Center. 1971-73.for Health Dept.(P)  
Court Appointed Neutral Expert, Michigan State Prison, Jackson, MI --*Independent*  
Expert for Court Appointed Master, Washington D.C. Jail-Grace Lopes-*Independent*-\*\*\*  
Louisiana, Parish Booking and Holding Facility, Plaintiff Lawyer, Private Case. (DP) (P)  
Nursing Home Closure Case, Health Department Action, New Orleans, LA. (TT) (P)  
Slip and Fall Case, Poor Lighting, at Louisiana Hospital. (TT) (D)  
Jail Case for Private Attorney, Breaux Bridge, LA, September 2007 (P) Settled  
Calipatria State Prison Case, Private Attorney, San Diego, California, (DP), P

clear

Jan.,2008. Written Opinion Provided-Settled as per Private Atty.

Expert for Court Appointed Master, Grace Lopes for Washington, D.C.,Juvenile Detention Ctr-  
2004-Present. *Independent* \*\*\*--Ongoing

New Orleans Youth Study Center, Juvenile Facility, New Orleans, LA. March, 2009 (P)

Harrison County Juvenile Detention Center, Southern Poverty Law Center—Biloxi, Miss. 2009 (P)

Expert for City of New York, Department of Corrections Law Department: 2008-2012 (D)  
\*\*\*\*\*\*(Served as Defendant's Expert to Monitor Conditions & Accompany Plaintiff's Monitor)

III

ACLU Cases:

Mississippi State Prison, Death Row, (Heat & Sanitation) (NPP) (TT) (P) -

Plaintiff's prevailed on Trial and on Appeal.

Illinois, Juvenile Facility. Cook County (P) Consultant- Disposition of Case- Not Known.

One Unit, Illinois State Prison, Joliet (P)-Expert to inspect- My conclusion-No EH&S Case.

Five Psychiatric Hospitals in Illinois (P)- (My report rendered opinion re: sanitary conditions)

Mississippi State Prison for Men, Parchment, HIV Unit (NPP)(TT) (P)

Mississippi State Prison for Women (NPP) (P)

Two Jails, U.S. Virgin Islands (NPP) (CH) (P).. (Criminal Justice Complex in \*\*\*\*

St. Thomas. When I left the case, it was still under court order. 2005)

Baltimore Men's Detention Center—Duvall v. O'Malley—Heat Stress-2009-Current (NPP)(P)

Texas Prison Cases-2:

-One trial & taken to appeal.Order for retrial issued.Settlement reached. Heat Stress.

-One trial set tentatively February, 2014 (Heat Stress)

Louisiana State Prison Case- In progress 2013. (Heat Stress)

IV

Consultant on Conditions of Confinement Panel for U.S. Immigration and Naturalization Service (INS) & USDOJ to establish minimally acceptable conditions in jails where INS detainees are held. (Washington, DC.) 1998

**Legend:**

NPP-----National Prison Project

USDOJ- United States Department of Justice

DP----- Deposition

TT-----Trial Testimony

CH-----Court Hearing.

D.-----Defendant

P-----Plaintiff

\*\*\*..... Subject Expert monitoring EH&S compliance after consent decree was initiated;USDOJ-P

\*\*\*\*..... Subject Expert monitoring EH&S compliance after consent decree was initiated;ACLU-P

\*\*\*\*\*... Subject Expert monitoring EH&S compliance after consent decree was initiated;Private-D

Balsamo Testimony in last 5 years (2013)

1. Mississippi State Prison, Death Row, (Heat & Sanitation) Plaintiff's prevailed on Trial and on Appeal. For Plaintiff. Trial Testimony.
2. Calipatria State Prison Case, Private Attorney, San Diego, California, for Plaintiff. Jan., 2008. Written Opinion and Deposition. Case Settled as per Private Atty. Advice.
3. Louisiana, Parish Booking and Holding Facility, Plaintiff Lawyer, Private Case. Depositon provided.
4. Mississippi State Prison for Men, Parchment, HIV Unit . Court testimony provided.
5. Jail, U.S. Virgin Islands. (Criminal Justice Complex Center St. Thomas.) Subject Expert monitoring EH&S compliance after consent decree was initiated; Testified in Court Hearings. When I left the case, it was still under court order. 2005)
6. Texas Prison Case- One was remanded on appeal to retry and settlement reached. Heat Case. Provided Trial Testimony. 2010. Blackmon Case.
7. Texas Prison Case- One Trial set tentatively November 2014 (Heat Case) Affidavit provided. Court trial set for November 2014. McCollum Case
8. Prison and Jail in U.S. Virgin Islands. Testified court hearings -6 times on EH&S compliance. Also provided trial testimony on Golden Grove Prison trial. 1991 – 1998.
9. Prison (1), Jails (5), & Juvenile Detention Facility, Guam & the Marianna Islands. (Saipan etc.); Provided court testimony two times in the case regarding these jails and prison. (These cases (1998 -2005) were under consent decree & were being settled when I left case. 2005)
10. Oklahoma State Prisons, (5 Units inspected) (Joint Consultant USDOJ and State of Oklahoma- initially) and USDOJ Subject Expert. I provided a deposition and trial testimony regarding the hazardous conditions at one prison, McAllister, OK.
11. Baltimore Men's Detention Center—Duvall v. O'Malley—Heating Case-2009-2010. Provided Environmental Monitoring only. No Testimony as I was told the case is in settlement process.
12. Consultant on Conditions of Confinement Panel for U.S. Immigration and Naturalization Service (INS) & USDOJ to establish minimally acceptable conditions in jails where INS detainees are held. (Washington, DC.) 1998 . No Court Testimony or Deposition.
13. Angola, LA. Heat Stress on Death Row. Deposition and Court Testimony provided. (2013)